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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/798,939

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EXAMINER

OLANIRAN, FATIMAT O

ART UNIT

PAPER NUMBER

2615

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/798,939	<b>Applicant(s)</b> YAMASHITA ET AL.	
	<b>Examiner</b> FATIMAT O. OLANIRAN	<b>Art Unit</b> 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 3/28/2008 have been fully considered but they are not persuasive.

Applicant argues "Authorization parameter identifying information assigns the controls of the private mixer for modifying a subset of the settings. Accordingly, the user's modification of the professional settings is restricted. As an example, the user can be prevented from changing the setting of an equalizer if it is not assigned to a control of the private mixer. Thus, the user is allowed to start from a set of useful settings for all of the equipment, obtain a set of private settings by modifying only a predetermined subset of the settings, and operate the sound system by employing the private settings."

The limitations within the arguments are not incorporated into the claim language. Examiner suggests incorporating the limitations on, "authorization parameter" into the claim language.

Applicant also argues, "...Kentish is not utilizing authorization parameters because the manipulation of the mixer settings is not restricted..."

Examiner respectfully disagrees, applicant does not include the limitation of "manipulation of mixer setting is restricted" to the claim language, and as a result the limitation "authorization parameter" is given the broadest reasonable interpretation. Authorization parameter may be a signal corresponding to a particular user input informing the processor of the input, or a particular identifier or a control signal.

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In addition applicant's amendment of independent claims 1 and 4 does not overcome the prior art. Applicant amendment, "...responsive to authorization parameter identifying information which identifies the parameter that the simple control unit is authorized to set among a plurality of parameters..." This limitation claims the authorization parameter *identifies* the parameter out of a plurality of parameters; Kentish identifies an input from various input faders, knobs etc through the scanning, and panel processors (col. 5 lines 39-51). The amended claims do not claim *restricting* the parameters to the user selected parameters, as applicant argues.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1-6 and 8-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kentish et al. (5778417).

Claim 1, Kentish discloses a sound control system comprising: a mixing unit (Fig. 1, col. 4 line 17-18), which applies a mixing process to a plurality of sound signals input from a plurality of input systems (col. 3 line 23-24), and outputs resultant signals to a plurality of output systems (col. 4 line 47-48); a storing device which stores plural sets of detailed setting information to indicate setting states of respective parameters associated with the mixing process (col. 4 line 29-30, RAM); and a simple control unit which sets of a part of parameters out of respective parameters (col. 4 line 19-23);

wherein the simple control unit includes a plurality of operating pieces (col. 4 line 19-23), and an instruction transmitting unit which transmits an input calling instruction to the mixing unit when a calling instruction of a certain detailed setting information is input via any operating piece out of the plurality of operating pieces (col. 4 line 24-33 instruction transmitting unit :“scanning processor”, mixing unit: “control processor and signal processor”), and

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the mixing unit includes a receiving unit which receives the calling instruction of the certain detailed setting information from the simple control unit (col.4 line 31-33, receiving unit: "control processor"), and a deciding unit (col. 4 line 48-50, "panel processor") responsive to authorization parameter identifying information which identifies the parameter that the simple control unit is authorized to set (col. 5 line 39-51) among a plurality of parameters (col. 4 line 47-48, parameters: LEDS, meters) indicated in the certain detailed setting information and associated with the mixing process (col. 4 line 48-55).

Claim 2 Kentish discloses wherein an authorization parameter (col. 5 line 23-24) identifying information to identify a parameter (col. 5 line 24-26) that the simple control unit is authorized to set is contained in the detailed setting information (col. 5 line 65-67 "front panel definition file).

Claim 3 Kentish discloses an information generating device, which generates the detailed setting information in response to an input operation (col. 5 line 39-42, "scanning processor"), and stores a generated detailed information in the storing device (col. 5 48-51 "RAM 30").

Claim 4 Kentish discloses a sound control system comprising: a mixing unit (Fig. 1, col. 4 line 17-18), which applies a mixing process to a plurality of sound signals input from a plurality of input systems (col. 3 line 23-24), and outputs resultant signals to a plurality

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of output systems (col. 4 line 47-48); a storing device which stores plural sets of detailed setting information to indicate setting states of respective parameters associated with the mixing process (col. 4 line 29-30, RAM); and a simple control unit which sets a part of parameters out of respective parameters (col. 4 line 19-20); wherein the simple control unit includes a plurality of operating pieces (col. 4 line 20-21), an instruction transmitting unit which transmits an input calling instruction to the mixing unit when a calling instruction of a certain detailed setting information is input via any operating piece out of the plurality of operating pieces (col. 4 line 24-33 instruction transmitting unit :“scanning processor”, mixing unit: “control processor and signal processor”), and an assigning unit (col. 4 line 48-50 “panel processor and scanning processor”) which receives an authorization parameter information corresponding to the calling instruction from the mixing unit (col. 4 line 48-50), and assigning an authorization parameter to the operating pieces based on the received authorization parameter information (col. 4 line 52-55, information is stored in RAM addresses), and the mixing unit includes a receiving unit which receives the calling instruction from the simple control unit (col.4 line 31-33 “control processor”), and a transmitting unit (col. 4 line 48-50, “control processor”) responsive to authorization parameter identifying information which identifies the (col.9 line 40-44) parameter that the simple control unit is authorized to set among a plurality of parameters (col. 4 line 46-48) indicated in the certain detailed setting information (col. 4 line 48-51, line 61-63 setting information is done through RAM and “global front definition file”) and associated with the mixing process, and transmits the authorization

parameter to the simple control unit as the authorization parameter information (col. 4 line 52-55).

Claim 5 Kentish discloses wherein an operating piece assigning information to identify an operating piece to which the authorization parameter is assigned is contained in the authorization parameter information (col. 4 line 48-55, line 61-63, authorization parameter information: RAM and “global front definition file”, operation pieces: display devices).

Claim 6 Kentish discloses wherein an authorization parameter identifying information to identify a parameter that the simple control unit is authorized to set is contained in the detailed setting information (col. 4 line 48-52, line 59-62, RAM and “local front panel definition file”).

Claim 8 Kentish discloses an information generating device which generates the detailed setting information in response to an input operation, and then storing a generated detailed information in the storing device (col. 4 line 27-30, information generating device: “scanning processor”, storage device: “RAM”).

Claim 9, Kentish discloses wherein the deciding unit (col. 4 line 48-50, “panel processor”) acts on predefined authorization parameter identifying information (col. 5 line 58-61 and line 65-67 information from scanning processor and front panel definition file) which restricts in advance the parameters that can be set by the simple control unit



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(parameters of the simple control unit are inherently restricted by the selection of controls, i.e. switches, faders).

Claim 10, Kentish discloses wherein the assigning unit (col. 4 line 48-50 “panel processor and scanning processor”) acts to generate authorization parameter identifying information (col. 5 line 58-61 and line 65-67 information from scanning processor and front panel definition file) which restricts in advance the parameters that can be set by the simple control unit (parameters of the simple control unit are inherently restricted by the selection of controls, i.e. switches, faders).

Claim 11, Kentish discloses wherein the plural sets of detailed settings information (col. 5 line 65-67) are plural sets of predetermined detailed settings information (col. 6 line 30-37) .

Claim 12, Kentish discloses wherein the plural sets of detailed settings information (col. 5 line 65-67) are plural sets of predetermined detailed settings information (col. 6 line 30-37) .

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kentish et al. (5778417) in view of Iwamoto et al (6816833).

Claim 7 Kentish does not disclose wherein, when a plurality of simple control units are equipped, the transmitting unit decides the authorization parameter for respective simple control units in such a manner that the authorization parameter is decided differently among respective simple control units.

Iwamoto discloses wherein, when a plurality of simple control units are equipped (col. 5 line 62-66) the transmitting unit (col. 5 line 66, "function controller") decides the authorization parameter (col. 6 line 41-44) for respective simple control units in such a manner that the authorization parameter is decided differently among respective simple control units (col. 5 line 62-66, Fig. 1, according to Fig. 1 each controller has different inputs and therefore different authorization parameters). Therefore it would be obvious to one ordinarily skilled in the art at the time the invention was made to modify the mixing console of Kentish with the a plurality of sub-controls as taught by Iwamoto in order to have sub-controls that can command different aspects of the audio process.

***Conclusion***

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FATIMAT O. OLANIRAN whose telephone number is (571)270-3437. The examiner can normally be reached on M-F 10:00-6 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FO

/Vivian Chin/  
Supervisory Patent Examiner, Art Unit 2615